

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:17-CR-230

vs.

HON. JANET T. NEFF
U.S. District Judge

MICHAEL ANTHONY CLAYTON
(a.k.a. "Rodeo Loco") and
RAMIRO HERNANDEZ, Jr.,

SUPERSEDING INDICTMENT

Defendants.

_____ /

The Grand Jury charges:

COUNT 1

(Conspiracy to Sexually Exploit a Minor)

Between in or about September 2017 and October 2017, in Calhoun County, in the
Southern Division of the Western District of Michigan,

**MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco") and
RAMIRO HERNANDEZ, JR.**

knowingly conspired, confederated, and agreed to use a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of that conduct, which depiction was transported in or affecting interstate or foreign commerce by any means, including by computer.

Specifically, the defendants agreed to use J.P., a girl who was approximately 16 years old, to engage in sex acts and to lasciviously display her pubic area for the purpose of taking videos of that conduct. The videos were transported in and affecting interstate and foreign commerce when they were transmitted through the Internet by use of the Snapchat application.

18 U.S.C. § 2251(a), (e)

COUNT 2

(Sexual Exploitation of a Minor and Attempted Sexual Exploitation of a Minor)

Between in or about September 2017 and October 2017, in Calhoun County, in the Southern Division of the Western District of Michigan,

RAMIRO HERNANDEZ, JR.

knowingly used, persuaded, induced, and enticed and knowingly attempted to use, persuade, induce, and entice a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of that conduct, which depiction was transported in or affecting interstate or foreign commerce by any means, including by computer.

Specifically, the defendant used, persuaded, induced, and enticed and attempted to use, persuade, induce, and entice J.P., a girl who was approximately 16 years old, to engage in the lascivious display of her pubic area for the purpose of recording a video of that conduct. The video was transported in and affecting interstate and foreign commerce when it was transmitted through the Internet by use of the Snapchat application.

18 U.S.C. § 2251(a), (e)
18 U.S.C. § 2

COUNT 3

(Sexual Exploitation of a Minor)

Between in or about September 2017 and October 2017, in Calhoun County, in the Southern Division of the Western District of Michigan,

MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco")

knowingly used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of that conduct, which depictions were transported in or affecting interstate or foreign commerce by any means, including by computer.

Specifically, the defendant used, persuaded, induced, and enticed J.P., a girl who was approximately 16 years old, to engage in genital-genital and oral-genital sex acts for the purpose of producing videos of those sex acts. The videos were transported in and affecting interstate and foreign commerce when they were transmitted through the Internet by use of the Snapchat application.

18 U.S.C. § 2251(a), (e)

COUNT 4

(Sexual Exploitation of a Minor)

On dates unknown to the grand jury in or about 2017, in Calhoun County, in the Southern Division of the Western District of Michigan,

MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco")

knowingly used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of that conduct, which depictions were transported in or affecting interstate or foreign commerce by any means, including by computer.

Specifically, the defendant used, persuaded, induced, and enticed H.K., a girl who was approximately 17 years old, to engage in oral-genital sex acts for the purpose of producing videos of those sex acts. The videos were transported in and affecting interstate and foreign commerce when they were transmitted through the Internet by use of the Snapchat application.

18 U.S.C. § 2251(a), (e)

COUNT 5

(Sexual Exploitation of a Minor)

Between in or about April 2017 and August 2017, in Calhoun County, in the Southern Division of the Western District of Michigan,

MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco")

knowingly used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of that conduct, which depictions were produced using materials that had been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer.

Specifically, the defendant used, persuaded, induced, and enticed K.P., a girl who was approximately 15 years old, to engage in genital-genital sex acts, oral-genital sex acts, and the lascivious display of her pubic area for the purpose of producing videos of that conduct. The videos were produced using an iPhone SE, which was assembled in China and had been shipped in or affecting interstate or foreign commerce.

18 U.S.C. § 2251(a), (e)

COUNT 6
(Sex Trafficking of a Minor)

Between in or about September 2017 and October 2017, in Calhoun County, in the Southern Division of the Western District of Michigan,

**MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco") and
RAMIRO HERNANDEZ, JR.**

knowingly recruited, enticed, harbored, transported, and provided, by any means in or affecting interstate or foreign commerce, J.P., a girl who was approximately 16 years old, knowing and in reckless disregard of the fact, and having had a reasonable opportunity to observe J.P., that J.P. had not attained the age of 18 years and would be caused to engage in one or more commercial sex acts.

18 U.S.C. § 1591(a)(1), (b)(2), (c)
18 U.S.C. § 2

COUNT 7
(Conspiracy to Distribute Cocaine)

Between in or about September 2017 and October 2017, in Calhoun County, in the Southern Division of the Western District of Michigan,

**MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco") and
RAMIRO HERNANDEZ, JR.**

knowingly and intentionally combined, conspired, confederated, and agreed with each other to distribute and possess with intent to distribute mixtures and substances containing a detectable amount of cocaine, a Schedule II controlled substance.

21 U.S.C. § 846

21 U.S.C. §§ 841(1)(1), (b)(1)(C)

COUNT 8

(Felon in Possession of Firearms)

Between in or about September 2017 and October 2017, in Calhoun County, in the Southern Division of the Western District of Michigan,

MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco"),

being a person who had been convicted of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce firearms, including, but not limited to, one or more of the following firearms: a loaded Interarms M677, .357 caliber revolver, serial number F475086 and a loaded Lorcin L380, .380 caliber, semi-automatic handgun, serial number 267886.

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

18 U.S.C. § 921(a)

FORFEITURE ALLEGATION

(Sexual Exploitation of Minors and Conspiracy to Sexually Exploit Minors)

The allegations contained in Counts 1-5 of this Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 2253(a).

Pursuant to 18 U.S.C. § 2253(a), upon conviction of an offense in violation of 18 U.S.C. § 2251 set forth in Counts 1-5 of this Superseding Indictment,

**MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco") and
RAMIRO HERNANDEZ, JR.**

shall forfeit to the United States of America, any visual depiction described in 18 U.S.C. § 2251; any matter which contains any such visual depiction that was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Chapter 110; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses and any property traceable to such property.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

18 U.S.C. § 2253(a), (b)

21 U.S.C. § 853(p)

18 U.S.C. § 2251(a), (e)

FORFEITURE ALLEGATION
(Felon in Possession of Firearms)

The allegations contained in Count 8 of the Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction of the offense in violation of 18 U.S.C. § 922(g)(1) set forth in Count 8 of the Superseding Indictment,

MICHAEL ANTHONY CLAYTON (a.k.a. "Rodeo Loco")

shall forfeit to the United States any firearms and ammunition involved in the commission of the offense, including but not limited to a loaded Interarms M677, .357 caliber revolver, serial number F475086, and a loaded Lorcin L380, .380 caliber, semi-automatic handgun, serial number 267886.

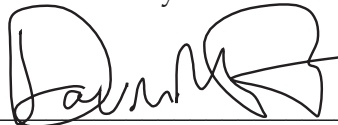
18 U.S.C. § 924(d)(1)
28 U.S.C. § 2461(c)
18 U.S.C. § 922(g)(1)

A TRUE BILL



GRAND JURY FOREPERSON

ANDREW BYERLY BIRGE
United States Attorney



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